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# LETTER DATED 10 JUNE 1998 FROM THE PERMANENT REPRESENTATIVES OF RWANDA AND THE UNITED STATES OF AMERICA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

We have the honour to transmit herewith the text of the general implementation plan and recommendations from the facilitators as prepared by the Rwandan-United States facilitation team currently negotiating with representatives of the Governments of Eritrea and Ethiopia.

We should be grateful if you would have the present letter and its annexes circulated as a document of the Security Council.

(Signed) Ambassador Bill RICHARDSON
Permanent Representative of the
United States of America to the
United Nations

(Signed) Ambassador M. Gideon KAYINAMURA
Permanent Representative of the
Rwandese Republic to the
United Nations

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## Annex I

## General implementation plan

GENERAL

A. The two parties have agreed on the principles and accepted the recommendations of the facilitators as binding. In that regard, the two parties have agreed to use this general implementation plan as the basis for addressing the tasks required to delimit and demarcate their common border.

B. The facilitators have recommended to the two parties that the United Nations Cartographic Section, an organization with expertise in this technical field, coordinate the delimitation and demarcation of the entire border between the two countries, based on established colonial treaties and international law applicable to such treaties.

C. The two parties agree to execute other such binding agreements as may be jointly deemed necessary.

D. Upon agreement with the facilitators' recommendations the two parties will order an immediate stand-down of forces and take all necessary precautionary measures to avoid conflict, including a halt to all patrolling and reconnaissance activity. The parties will also freeze mobilization activity, including stockpiling for deployed forces, and limit logistics to deployed troops to that necessary for sustainment.

E. The two parties agree to reverse the mobilization process expeditiously.

INITIAL STEPS TO FACILITATE RESOLUTION OF THE ISSUE

There are measures which must be undertaken to defuse rapidly the current tension and to facilitate a resolution of the underlying problem. These steps include the restoration of a sense of security, stability and normalcy to the area of current tension. To that end, the following actions must be taken, generally in the order indicated below (D-day is the date the actual agreement is signed; all target dates are recommended time-frames):

A. The two parties will initiate separate requests to the Secretary-General of the United Nations requesting the assistance of the Cartographic Section. The parties will include a request that the United Nations establish a special fund for the delimitation and demarcation of the entire boundary. This fund would be administered by the United Nations Comptroller, and donations would be solicited from friendly Governments. Both parties also agree to make an equal and substantial contribution to this fund. (D+1)

B. The two parties will agree with the facilitators on the precise terms of reference and mission for an Observer Mission. (D-day)

C. Observer Mission advance teams will deploy to the region, and thence to Badme and environs, for reconnaissance, orientation and briefing by both parties. (D+1)

D. Eritrean forces shall begin to redeploy from Badme and environs to the positions held prior to 6 May 1998. (Note: This redeployment must be carefully coordinated with the deployment of the Observer Mission; see para. G(1) below.) (D+1-4)

E. The Observer Mission main body arrives in both capitals and is briefed, issued equipment and prepared for deployment. (D+3 and 4)

F. The Observer Mission main body is deployed to its area of operations. (D+4 and 5)

G. The Observer Mission coordinates activity with GFDRE and GSE to observe and accomplish the following:

(1) Observer Mission advance elements remain in contact with redeploying Eritrean forces to enhance continuous control in the area of operations in order to reduce the possibility of inadvertent observer contact with Eritrean forces in new locations and to facilitate deployment of the Observer Mission advance party. (D+1-5)

(2) The Observer Mission verifies the return of the Ethiopian administrators to Badme and environs. (D+5 and 6)

(3) The Observer Mission monitors the return of Ethiopian police to Badme and environs under the direction and control of the civil administrators. Police will have completed seminars covering the sensitivity of their mission. (D+6 and 7)

(4) The Observer Mission monitors the return of the civilian population displaced by the crisis to Badme and environs (except for residents of the area who are also members of the militia (see para. 5 below), who will be indoctrinated on their responsibilities and will attend seminars on the sensitivity and importance of the situation prior to their return). (D+7 and 8)

(5) The Observer Mission will monitor the return of the militia members, who will have attended seminars on the sensitivity and importance of the situation and who will have been indoctrinated on their responsibilities prior to their return. They will be the last group to return to Badme and environs, and their activities will be under the control, authority and discipline of the police. (D+8 and 9)

I. DELIMITATION AND DEMARCATION OF THE BORDER

A. Upon acceptance of the requests from both parties for technical assistance from the United Nations (see para. A of the preceding section), the Cartographic Section will provide an estimate of the time required to complete the delimitation and demarcation of the boundary as soon as possible, but will not delay implementation of the project pending that determination. (D+21)

B. The Cartographic Section will identify and engage the services of the necessary technical experts to assist in delimitating the boundary between the two parties. (D+14)

C. The two parties identify and forward to the Cartographic Section all necessary documentation; both sides ensure that all documentation submitted is of a sound legal basis. (as appropriate)

D. The Cartographic Section will commence the delimitation of the border as soon as possible with the approach and methodology it deems most effective. (D+14)

E. The delimitation of all segments of the entire boundary shall constitute the legal and binding resolution of the disposition of the border dispute by peaceful means.

F. The parties will begin the process of demarcation as soon as the necessary delimitation documents have been signed by both parties and deposited with the United Nations. (D+180)

G. The Cartographic Section will recommend an organization and/or a method for demarcation of the delimited border. The demarcation of the border shall begin at Badme, continue at Bada (Adi-Murug) and thence proceed in phases agreed upon by the parties until the entire border has been demarcated. (D+ as soon as possible)

II. DEMILITARIZATION OF THE BORDER

A. The two parties define the modalities of demilitarization and provide a detailed plan to the facilitators (D+ as soon as possible.)

B. Demilitarization of the border will begin in the Mereb-Setit segment, proceed next to the Bada area and be implemented throughout the entire boundary in a phased pattern agreed to by both parties (target completion by D+45)

III. RESTORING PUBLIC CONFIDENCE AND CALM

A. Both parties will undertake to inform and reassure the citizenry (and where applicable reinforce controls on local militia), either in or near the border during the implementation of the delimitation and demilitarization programmes, and to prevent any action by local administration, or its components, that inflame tensions.

B. Both parties will emphasize the peaceful nature of the resolution of current tensions and the initiation of a peaceful and equitable programme to resolve border issues once and for all.

Annex II

Recommendations of the facilitators

Noting that we have observed that there is a basis for both reducing current tensions and resolving the underlying problem between the Governments of the State of Eritrea and the Federal Democratic Republic of Ethiopia, the facilitators (the Governments of Rwanda and the United States of America) hereby submit the following recommendations:

1. The facilitators note that both parties accept the following principles and commit themselves to:

- Resolving the present crisis and any other dispute between them through peaceful and legal means;

- Honouring the principle that force must not be used as a means of imposing a solution;

- Undertaking measures which will reduce current tensions;

- Seeking the final disposition of their common border, determined on the basis of established colonial treaties and international law applicable to such treaties;

- Honouring the principle that the acceptance of these recommendations is fully binding.

2. So as to reduce current tensions and facilitate the process of resolving the underlying problem, the facilitators recommend that:

- An Observer Mission be deployed to Badme as soon as possible;

- Both parties agree with the facilitators on the mission and mandate of the Observer Mission;

- Within 24 hours of the arrival of the observer team, Eritrean forces begin to redeploy to positions held before 6 May 1998 and that, immediately thereafter, the civilian administration in place before 6 May 1998 return;

- There be an investigation into the events of 6 May 1998.

3. So that the underlying problem may be lastingly resolved, the facilitators recommend that the entire common border between Eritrea and Ethiopia be delimited and demarcated in the following manner:

- The delimitation/demarcation process shall be undertaken on the basis of established colonial treaties and international law applicable to such treaties;

- The delimitation/demarcation process shall be undertaken, with the involvement of the United Nations Cartographic Section, by a technical team having the requisite expertise and mandate required to make a full and final determination of the delimitation and demarcation of the entire border shared by Eritrea and Ethiopia;

- In the process of delimitation/demarcation, both parties shall have the right to present, in written and/or oral form, appropriate information and documentation to the technical team;

- The process of delimitation of the border shall be completed as quickly as possible and shall be based upon the advice of the technical team;

- Both parties shall agree to delegate responsibility for determining the common border to the technical team and accept its final determination as binding. Upon completion of the delimitation of the border, both parties shall sign the delimitation documents and deposit them at the United Nations and the Organization of African Unity (OAU) as an indication of their recognition and support for the new border;

- The entire common border shall be delimited by the technical team, the above-mentioned signed documents shall be deposited with the United Nations and OAU, and then demarcation shall be undertaken with Badme demarcated first, followed by the demarcation of Bada and then of the entire common border;

- The demarcated border shall be accepted and adhered to by both parties. Upon the completion of the demarcation of border segments, the legitimate authorities shall assume jurisdiction over their respective sovereign territories.

4. So that the process of delimitation/demarcation might be undertaken effectively, the facilitators recommend that:

- Both parties agree to demilitarize the entire common border as soon as possible and in accordance with the general implementation plan as a means of reducing tensions and facilitating the delimitation/demarcation process;

- Both parties agree on modalities for the demilitarization of the common border and provide details of this plan to the facilitators and the Observer Mission.

5. So that the process of reducing current tensions and resolving the underlying problem might be undertaken swiftly and practically, the facilitators recommend that:

- Both parties proceed on the basis of the general implementation plan (see annex I);

- Both parties accept that the general implementation plan has been designed on the basis of what constitutes the most practical means of sequencing various actions so as to render implementation, including the Observer Mission, as efficient and effective as possible.

6. So that the acceptance of these recommendations may be considered binding, the facilitators recommend that:

- Both parties convey, in an official and legally binding manner, their acceptance of the recommendations to the facilitators.

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